

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested in view of the following remarks.

Summary of the Office Action

Claims 21-28 stand rejected under 35 U.S.C. §102(b) as being anticipated by Tsumura et al. (U.S. Patent No. 5,500,537).

Claims 29-37 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Figures 1 and 2 of the present application in view of Tsumura et al..

Claims 1, 3-5, 7-15, 17-20, 38 and 39 are allowed.

Claims 40-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Summary of the Response to the Office Action

Applicant proposes to cancel claims 21-37 without prejudice or disclaimer and to amend claims 40 and 41 by this amendment. Upon entry of this paper, claims 1, 3-5, 7-15, 17-20 and 38-41 will be pending.

The Disposition of the Claims

Applicant appreciates the Examiner's allowance of claims 1, 3-5, 7-15, 17-20, 38 and 39 and the Examiner's indication that claims 40 and 41 would be allowable if rewritten in independent form. Accordingly, Applicant proposes to rewrite claims 40 and 41 independent form by this amendment and respectfully submits that claims 40 and 41, as newly amended, are in *prima facie* condition for allowance.

To expedite the prosecution of the present application, Applicant proposes to cancel claims 21-37 without prejudice or disclaimer, thereby rendering the rejections of claims 21-37

moot. Accordingly, withdrawal of the rejections under 35 U.S.C. §§102(b) and 103(a) and the claim objections are respectfully requested. Applicant respectfully submits that the present application is now in condition for immediate allowance.

Conclusion


In view of the foregoing, Applicant respectfully requests the entry of this Amendment to place the application in clear condition for allowance or, in alternative, in better form for appeal. Applicant also respectfully requests the Examiner's reconsideration and reexamination of the application and the timely allowance of the pending claims. Should there remain any questions or comments regarding this response or the application in general, the Examiner is urged to contact the undersigned at the number listed below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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